

## CHAPTER 228

### POSSESSION OF DRUG PARAPHERNALIA PROHIBITED

[History: Ord 2008-2]

**228.01 POSSESSION OF DRUG PARAPHERNALIA PROHIBITED.** No person may use, or possess with the primary intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance or controlled substance analog in violation of chapter. 961 Wisconsin Statutes.

**228.02 MANUFACTURE OR DELIVERY OF DRUG PARAPHERNALIA PROHIBITED.** No person may deliver, possess with intent to deliver, or manufacture with intent to deliver, drug paraphernalia, knowing that it will be primarily used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance or controlled substance analog in violation of this chapter.

**228.03 FACTORS IN DETERMINATION.** The matters set forth in sec. 961.572 Wisconsin Statutes, as the same may be from time to time amended, are hereby incorporated by reference into this Chapter and shall be applicable to any prosecution for a violation of this Chapter.

**228.04 DEFINITION.** For purposes of this Chapter, "Drug Paraphernalia" is defined as set forth in sec. 961.571 (1) Wisconsin Statutes, as the same may be from time to time amended, which definition is hereby incorporated by reference into this Chapter.

**228.05 PENALTY.** Any person who shall violate this chapter shall, upon conviction thereof, forfeit to the City of Richland Center not less than \$25.00 nor more than \$400.00, together with the costs of prosecution and any applicable assessments, and in the event such forfeiture, costs and assessment are not paid, such person may, by order of the Circuit Court, be imprisoned in the Richland County Jail until such forfeiture, costs and assessment are paid, but not to exceed 90 days.

Enacted January 2, 2008